

# **EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

<i>In re Terrorist Attacks on September 11, 2001</i>	03 MDL 1570 (RCC) ECF Case
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*This document relates to:*

*Ashton v Al Qaeda Islamic Army*, 02 CV 6977 (RCC)

*Burnett v Al Baraka Investment & Develop. Corp.*, 03 CV 9849 (RCC)

**OBJECTIONS AND RESPONSES OF THE NATIONAL COMMERCIAL BANK  
TO PLAINTIFFS' FIRST SET OF REQUESTS FOR PRODUCTION OF DOCUMENTS**

Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, defendant The National Commercial Bank ("NCB") hereby submits the following objections and responses to Plaintiffs' First Set of Jurisdictional Requests for Production of Documents Directed to National Commercial Bank ("Document Requests"). NCB's objections and responses are based on information presently known to it, and NCB reserves the right to assert additional objections, and to supplement these objections, based on information that arises subsequently.

**GENERALLY APPLICABLE OBJECTIONS**

1. NCB objects to the Document Requests, including the definitions and instructions included therein, to the extent that they seek discovery beyond the scope authorized in the Discovery Order entered in this action on June 28, 2006 ("Discovery Order").

2. NCB objects to the Document Requests, including the definitions and instructions included therein, to the extent that they otherwise go beyond the "limited jurisdictional discovery" ordered by the Court. See *In re Terrorist Attacks on September 11, 2001*, 349 F. Supp. 2d 765, 792 (S.D.N.Y. 2005) ("*Terrorist Attacks I*"); *In re Terrorist Attacks on September 11, 2001*, 392 F. Supp. 2d 539, 572-73 (S.D.N.Y. 2005) ("*Terrorist Attacks II*").

**CONFIDENTIAL:** This document contains material that is subject to a Protective Order regarding confidential information in 03 MDL 1570 (GBD) (FM), United States District Court for the Southern District of New York. Confidential information and references to confidential documents are indicated by bold faced italics.

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*Ashton v Al Qaeda Islamic Army*, 02 CV 6977 (GBD)

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OBJECTIONS OF THE NATIONAL COMMERCIAL BANK  
TO PLAINTIFFS' SUPPLEMENTAL REQUESTS  
FOR PRODUCTION OF DOCUMENTS

Pursuant to Rule 34(b) of the Federal Rules of Civil Procedure, defendant The National Commercial Bank ("NCB") hereby submits the following objections to Plaintiffs' Supplemental Requests for Production of Documents Directed to National Commercial Bank ("Document Requests"). NCB's objections are based on information presently known to it, and NCB reserves the right to assert additional objections, and to supplement these objections, based on information that arises subsequently.

GENERALLY APPLICABLE OBJECTIONS

NCB objects to the Document Requests, including the definitions and instructions included therein, for all of the following reasons:

1. The Document Requests in their entirety exceed the scope of jurisdictional discovery as to NCB authorized by the Court because the Court's May 1, 2007 order (MDL Dkt. # 1971) "decline[d] to direct any further discovery (not previously ordered) related to NCB."

2. The Document Requests at least in part seek information that post-dates the filing of the *Ashton* and *Burnett* actions on September 4 and August 15, 2002, respectively. See *In re Ski Train Fire in Kaprun, Austria on November 11, 2000*, 342 F. Supp. 2d 207, 215 n.62 (S.D.N.Y. 2004) (forum